

09/11/03
14042 U.S. PTO

VIA EXPRESS MAIL NO. EV268061683US
PATENT

17302 U.S. PTO
10/660157
09/11/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Applicants: Donald J. Larnard, et al
Serial Number: Not Yet Assigned
Filing Date: Herewith
For: NEUROSURGICAL DEVICE FOR THERMAL THERAPY
Examiner: Not Yet Assigned
Group Art Unit: Not Yet Assigned
Attorney Docket No.: 22521-3CON

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUING APPLICATION UNDER 37 C.F.R. §1.53(b)

Sir:

This is a request for the filing of a Continuation Application under the provisions of 37 C.F.R. §1.53(b) of pending application Serial No. 09/971,072, filed 10/04/2001, by Donald J. Larnard, et al, entitled NEUROSURGICAL DEVICE FOR THERMAL THERAPY, which application claims priority from U.S. Provisional Patent Application Serial No. 60/238,314, filed 10/05/00, entitled SYSTEMS AND METHODS FOR CONTROLLING TEMPERATURE OF BRAIN TISSUE, now expired, the entirety of all of which are incorporated herein by reference.

Attorney Docket No. 22521-3CON

Enclosed is a copy of the prior application, including four sheets of drawings containing Figs. 1-13, as originally filed.

I hereby state that the attached papers are a copy of the prior application Serial No. 09/971,072, filed 10/04/2001, without any new matter therein.

Also enclosed is a Preliminary Amendment, four sheets of formal drawings, Figs. 1-13, a copy of a prior executed Declaration and Power of Attorney, an Information Disclosure Statement with PTO/SB/08A, and a Notice of Change of Correspondence Address, a check to the Director of the United States Patent and Trademark Office in the amount of \$417.00, and a return receipt postcard.

Please cancel in this application original Claims 11-12, 16-25, and 27-37 of the prior application, and add Claims 38-40 as set forth in the Preliminary Amendment enclosed herewith, before calculating the filing fee.

The filing fee is calculated as follows:

BASIC Filing Fee:	\$750.00
Number of Claims in Excess of 20: 0 x \$18	0
Number of Independent Claims over 3: 1 x \$84	\$ 84.00
One or more multiple dependent claims: \$280	0
TOTAL FILING FEE:	\$834.00

OR:

TOTAL FILING FEE REDUCED 50% FOR SMALL ENTITY \$417.00

Small Entity Status has been established in parent application Serial No. 09/971,072, filed 10/04/2001.

The power of attorney in the prior application, as originally filed, is to John Christopher, Reg. No. 37,596, Jason S. Crush, Reg. No. 40,972, and Alan M. Weisberg, Reg. No. 43,982, at Gunster, Yoakley & Stewart, 500 East Broward Boulevard, Suite 1400, Fort Lauderdale, FL 33394, as attorneys to prosecute this application and transact all business in the Patent and Trademark Office or the Courts, in connection therewith, with full powers of substitution, revocation and addition, simultaneously revoking all previous powers. A change of correspondence address is filed herewith by John Christopher.

Send correspondence to:

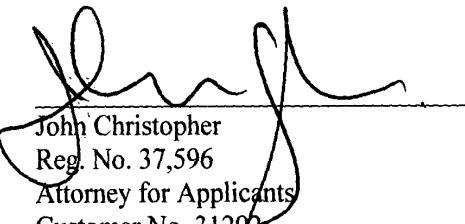
Christopher & Weisberg, P.A.
Suite 2040
200 East Las Olas Boulevard
Fort Lauderdale, Florida 33301

Direct all telephone calls to:

John Christopher, Esq.
(954) 828-1488

Respectfully submitted,

Date: September 11, 2003



John Christopher
Reg. No. 37,596
Attorney for Applicants
Customer No. 31292
Christopher & Weisberg, P.A.
Suite 2040
200 East Las Olas Boulevard
Fort Lauderdale, Florida 33301
Tel: (954) 828-1488
Fax: (954) 828-9122

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NOTICE OF CHANGE OF CORRESPONDENCE ADDRESS

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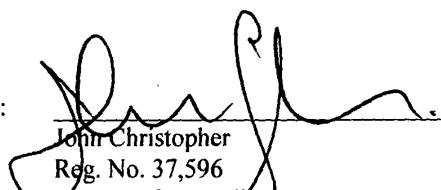
Dear Sir:

Please address all future communications for the above-identified application to:

John Christopher, Esq.
CHRISTOPHER & WEISBERG, P.A.
200 East Las Olas Boulevard - Suite 2040
Fort Lauderdale, Florida 33301
Tel: (954) 828-1488
Fax: (954) 828-9122

Respectfully submitted,

By:


John Christopher
Reg. No. 37,596
Attorney for Applicant(s)
Christopher & Weisberg, P.A.
200 East Las Olas Boulevard, Suite 2040
Fort Lauderdale, FL 33301
Customer No. 31292

Dated: September 09, 2003